



#10

PATENT
Customer No. 22,852
Attorney Docket No. 09314.0007-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
BANDEMER et al.) Group Art Unit: 2633
)
Application No.: 09/979,567) Examiner: Jason Chan
)
Filed: March 13, 2002) Confirmation No.: 2828
)
For: ASSEMBLY FOR MONITORING)
THE PERFORMANCE OF D-WDM)
MULTI-FREQUENCY SYSTEMS)

RECEIVED
APR 06 2004
TC 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
APR 06 2004
Technology Center 2600

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

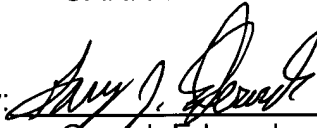
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 2, 2004

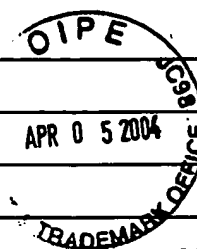
By:



Gary J. Edwards
Reg. No. 41,008

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09314.0007-00000	Appln. No.	09/979,567
Applicant	BANDEMER et al.		
Filing Date	March 13, 2002	Group:	2633



U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
EP 0 703 679 A2	3/27/96	Europe			

RECEIVED

APR 0 6 2004

Technology Center 2600

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	KOHTOKY M. et al., "Packaged Polarization-Insensitive WDM Monitor with Low Loss (7.3dB) and Wide Tuning Range (4.5 nm)," <i>IEEE Photonics Technology Letter</i> , Vol. 10, No. 11, (November 1998).
	SHAN ZHONG et al., "Full-Coverage Multichannel Wavelength-Monitoring Circuit for WDM System," Technical Digest Summaries of Papers Presented at the Conference on Lasers and Electro-optics. Conference Edition. 1998. Technical Digest Series, Vol. 6 (IEEE Cat. No. 98CH36178) pp. 28-29, XP002146721 ISBN: 1-55752-339-0 (May 3, 1998).
	TESHIMA M. et al., "100-GHz-Spaced 8-Channel Frequency Control of DBR Lasers for Virtual Wavelength Path Cross-Connect System," <i>IEEE Photonics Technology Letters</i> , Vol. 8, No. 12 (December 1, 1996).
	OTSUKA K. et al., "A High-Performance Optical Spectrum Monitor with High-Speed Measuring Time for WDM Optical Networks," 11 th International Conference on Integrated Optics and Optical Fiber Communications 23 rd European Conference on Optical Communications IOOC-ECOC 97 (Conf. Publ. No. 448), Vol. 2, pp. 147-150 (September 22, 1997).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce